

REMARKS

This paper is being presented in response to an official action dated May 17 , 2005.

Entry of new claims 20-30, the substitute specification, and replacement drawing sheets containing Figures 5 and 6, reconsideration of the objections and rejections, and allowance of all pending claims 11-30 are respectfully requested in view of the following remarks.

Brief Summary of the Amendments

Amendments to the Specification

A substitute specification is submitted herewith, in both clean and marked-up form. Entry of the substitute specification is solicited.

Amendments to the Drawings

Replacement drawing sheets including the best available copies of Figures 5 and 6 are enclosed, as described below.

Amendments to the Claims

By the foregoing amendments, original claims 1-10 are cancelled and new claims 11-30 are added.

No new matter has been added and the amendments do not require an additional search.

Claims 11-30 (20 total; 2 independent) are now pending, and no claim fee is believed to be due.

Enclosed herewith is a check in the amount of \$510 to cover the requisite fee under 37 C.F.R. §§ 1.17(a) and 1.136(a) for an extension of time for reply within the third month (small entity status). The Commissioner is hereby authorized to charge any deficiency in connection with this Amendment, or any additional fees which may be required in connection with this Amendment, to Deposit Account No. 13-2855 under order number 30848/40323. A copy of this Amendment is enclosed.

Objections to the Drawings

Figure 5 was objected to on the basis that the different curves cannot be differentiated, and Figure 6 was objected to on the basis that in part (b) the leader lines for reference number 15 and 26 cannot be seen.

This application is the U.S. national stage of International Application PCT/GR03/00003, the pamphlet of which was published as WO 03/062134 (the WO '134 publication). The pamphlet contains Figures 5 and 6. The MPEP at § 1893.03 (f), entitled “Drawings and PCT Rule 11” states:

The drawings for the national stage application must comply with PCT Rule 11. The copy of the drawings provided by the International Bureau has already been checked and should be in compliance with PCT Rule 11. Accordingly, the drawing provided by the International Bureau (see MPEP § 1893.03(e)) should be acceptable. The USPTO may not impose requirements beyond those imposed by the Patent Cooperation Treaty (e.g., PCT Rule 11). (Emphasis added.)

Regarding Figure 5, it is respectfully submitted that the differentiation between the curves is evident based on the written description in the application (see page 4, line 28, to page 5, line 3). Nevertheless, a replacement drawing sheet showing the best available copy of the figure is enclosed. The figure has been enlarged, and the “Porous over Cavity” labels, shown as hollow triangles, are now distinguishable from the “Porous” labels, shown as solid squares.

Regarding Figure 6, it is respectfully submitted that the lead lines are evident in the figure submitted as part of the International application. Nevertheless, a replacement drawing sheet showing the best available copy of the figure is submitted herewith as a substitute sheet.

Objections to the Specification

The specification was objected to on the basis of the line spacing and informalities with respect to references to element numbers.

A substitute specification is submitted herewith. The substitute specification adopts 1-1/2 line spacing and the Patent Office’s suggestions for amendment to the specification. The substitute specification also includes as part of the detailed description the narrative paragraphs formerly presented under the heading of claims.

Objections to the Claims

The claims were objected to based on line spacing.

The amended claims presented herewith for examination have 1-1/2 line spacing, thus obviating the objection.

Rejection of the Claims Under 35 U.S.C. § 112, ¶ 2

The claims were rejected under 35 U.S.C. § 112, second paragraph, because of the use of narrative form and alleged indefinite and functional language.

The amended claims presented herewith for examination comply with 35 U.S.C. § 112, second paragraph, thus obviating the rejection.

Rejection of the Claims Under 35 U.S.C. § 101

The claims were rejected under 35 U.S.C. § 101 because the claims allegedly fail to present "the appropriate steps of the fabrication method."

The amended claims presented herewith obviate the rejection.

CONCLUSION

In view of the foregoing, withdrawal of the rejections and allowance of all pending claims are respectfully requested.

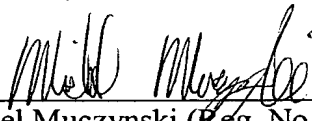
Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, the examiner is urged to telephone the undersigned attorney at the indicated number.

Respectfully submitted,

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By


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AMENDMENTS TO THE DRAWINGS

The attached two drawing sheets, which include Figures 5 and 6, respectively, replace the original sheets including Figures 5 and 6.

Attachments: Replacement Sheets.